

U.S. Department of Justice

United States Attorney
Southern District of New York

86 Chambers Street, 3rd Floor
New York, New York 10007

March 3, 2008

BY HAND

The Honorable Andrew J. Peck
United States Courthouse
500 Pearl Street, Room 1370
New York, NY 10007

**USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC#
DATE FILED: 3/14/08**

Re: *Akinyemi v. Chertoff*, 07 Civ. 4048 (AJP)

Dear Judge Peck:

The Government respectfully requests a one-week extension, until March 14, 2008, to file its reply brief in support of summary judgment in the above-referenced case. Agency counsel, with whom counsel for the Government has been working closely in this case, will be unavailable on March 5 and 6, the two days prior to the Government's current due date. The Government's extension request is necessary to permit agency counsel to review the Government's brief prior to filing.

In addition, the Government needs additional time in order to sift through the 631-pages of attachments and exhibits that the plaintiff filed in opposition to the Government's motion for summary judgment. In contravention of the Court's Order of February 26, 2008, plaintiff filed the entire transcript of at least two depositions taken in this case, rather than the relevant excerpts. Moreover, plaintiff's electronic filing is in a state of significant disorder. For example, plaintiff filed a declaration of attorney K.C. Okoli listing 40 exhibits. However, the docket entry only appears to include exhibits 1 thru 35. Other docket entries – which may contain the missing exhibits – are either mislabeled or include duplicate versions of the same document. It will take some time for the Government to sort thru the various docket entries to find the relevant exhibits.

MEMO ENDORSED 7/4/08
Return to 3/14 APPROVED.

BY FAX

SO ORDERED:

Andrew J. Peck
Hon. Andrew J. Peck
United States Magistrate Judge

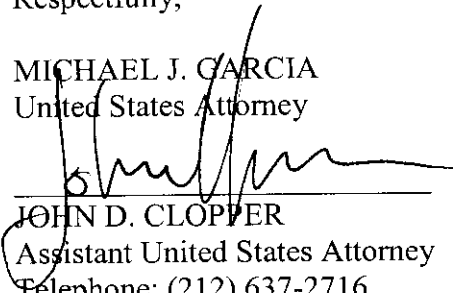
any for the court

Plaintiff's counsel consents to a one-week extension. Thank you for considering this request.

Respectfully,

MICHAEL J. GARCIA
United States Attorney

By:



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FAX TRANSMITTAL SHEET



**ANDREW J. PECK
UNITED STATES MAGISTRATE JUDGE
UNITED STATES DISTRICT COURT**

Southern District of New York
United States Courthouse
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Dated: March 4, 2008

Total Number of Pages: 3

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TRANSCRIPTION:

MEMO ENDORSED 3/4/08

Extension to 3/14 APPROVED.